

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

FORMAL SESSION
April 16, 2003

The Board of Supervisors of Maricopa County, Arizona convened at 9:00 a.m., April 16, 2003, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman; Andy Kunasek, Vice Chairman; Don Stapley, Max W. Wilson, and Mary Rose Wilcox. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

INVOCATION

Abdur-Rahim Shamsid-Deen, Imam of the Jewel of Al-Islam Mosque, delivered the invocation.

PLEDGE OF ALLEGIANCE

Supervisor Mary Rose Wilcox led the assemblage in the Pledge of Allegiance.

PRESENTATION OF A PAINTING BY NORMA FURMAN

Presentation of a painting by Norma Furman, Artist, on behalf of the San Tan Area Citizenry, for the Board's efforts in the opening of San Tan Park. (ADM103)

Ms. Furman said she and her husband had lived near San Tan Mountains for more than 20 years and she wanted to express her gratitude for the County's endeavors to restore it to its pristine nature and in keeping up the effort to have the area declared the San Tan Park. Her picture is done in pastels and shows a vista of the landscape in a scene from the day of the grand opening of the Park.

Chairman Brock thanked her and also all the County's southeast area residents who have contributed time and effort to bring this Park into existence and have helped in keeping the grounds policed for public enjoyment.

PRESENTATION TO MS. CAROLE HUBBS

Presentation to Ms. Carole Hubbs in recognition of her service as a County Planning and Zoning Commissioner, representing District 4, from February 1998 to December 2002. (ADM650)

Supervisor Wilson thanked Ms. Hubbs for her years of service as a Planning Commissioner from District 4 and congratulated her on her recent election to the State House of Representatives where he hoped she would continue her work for Maricopa County and the State of Arizona.

PRESENTATION AND SPECIAL THANKS FROM REPRESENTATIVE CLANCY JAYNE TO SUPERVISOR KUNASEK

Motion was made by Supervisor Kunasek, seconded by Supervisor Stapley, and unanimously carried (5-0) to present a proclamation, which he read, with special thanks to Representative Clancy Jayne for his contributions to community support as a member of the Planning Commission. (ADM650)

Supervisor Kunasek joked that this second speaker might convince people that the County's Planning Commission is "a training ground for State Legislators" since Representative Jayne had served on the Planning Commission from District 3 prior to his election to the Arizona House of Representatives. Supervisor Kunasek congratulated Rep. Jayne and all of the "freshman class" elected last fall, as a group that has brought a fresh outlook to the State Legislature to help deal with their current budget problems.

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He presented Rep. Jayne with a framed proclamation from the Board printed on an aerial photograph of his legislative district and "signed by all his friends at the County," as follows.

PROCLAMATION

Clancy, your cowboy wit and wisdom made long hearings seem shorter and confrontational issues seem friendlier. Your personal knowledge of District 3 and the entire County proved especially helpful when mediating land use conflicts. For these and many other reasons your contributions to the Maricopa County Planning Commission are appreciated. Thank you for your service to the citizens of Maricopa County.

/s/ Fulton Brock, Chairman
/s/ Andy Kunasek, District 3
/s/ Don Stapley, District 2
/s/ Max Wilson, District 4
/s/ Mary Rose Wilcox, District 5

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

In turn, Representative Jayne presented Supervisor Kunasek with a photo taken of him, Speaker Flake and Councilwoman Neeley during a meeting with the North Valley Partnership and the North Phoenix Chamber of Commerce. Representative Jayne said, "government is about working together and partnershiping and I think that we (including Rep. Hubbs) have a great opportunity to do that with the knowledge that we learned working with the County and also with the City of Phoenix." He added that his door would always be open to all of the Supervisors any time he could be of assistance.

REWARDING IDEAS AWARDS

Deputy Jesse Locksa, Maricopa County Sheriff's Office and member of the Rewarding Ideas selection committee, said that his presentation would continue today's action in recognizing outstanding Maricopa County residents as several County employees are being recognized for their ideas and suggestions on ways to save the County money. He indicated that these ideas have not only increased efficiency and effectiveness in the County's operation but also improved the services extended to citizens. Today's ideas will provide an annual savings of over \$118,000, especially important in the budgetary shortcomings affecting all jurisdictions. (C31030077) (ADM3333-002)

NAME	DEPARTMENT	SUGGESTION	ANNUAL SAVINGS	CERTIFICATE OF APPRECIATION AND CHECK FOR
Stanley Montoya and Trina Jenkins	Human Services	Replace two-way radios with hand-held radio system	\$10,000 +	\$1,250 each
Tom Daley and Robert Olivera	Facilities Management	Replace usual light bulbs with Marathon Light System	\$28,000 +	\$1,250 each
Darrell Courtwright and Rick Cruise	Facilities Management	New cleaning chemical promoting longer life for equipment	\$30,000+	\$1,250 each

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Ricki Cohen	Adult Probation	Work with Terrels, treatment provider, for services to felony offenders at no cost to County	\$50,000+	\$2,500
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He thanked the evaluators who analyzed the entries, a very important role. He also thanked the Board for their continuing support of this program.

PROCLAMATION FOR NATIONAL NURSES WEEK

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson and unanimously carried (5-0) to proclaim May 6 – 12, 2003, National Nurses Week. (C9003040M) (ADM650)

PROCLAMATION

WHEREAS, the nearly 2.7 million registered nurses in the United States comprise our nation's largest health care profession, and

WHEREAS, the depth and breadth of the registered nursing profession meets the different and emerging health care needs of the American population in a wide range of settings, and

WHEREAS, professional nursing has been demonstrated to be an indispensable component in the safety and quality of care of patients, and

WHEREAS, the demand for registered nursing services will be greater than ever because of the aging of the American population, the continuing expansion of life sustaining technology, and the explosive growth of home health care services, and

WHEREAS, more qualified registered nurses will be needed in the future to meet the increasingly complex needs of health care consumers in this community, and

WHEREAS, the cost-effective, safe and quality health care services provided by registered nurses will be an ever more important component of the U.S. health care delivery system in the future, and

WHEREAS, THE WEEK OF May 6-12 is NATIONAL NURSES WEEK with the theme "Nurses Lifting Spirits, Touching Lives" in celebration of the ways in which registered nurses strive to provide safe and high quality patient care:

NOW, THEREFORE, BE IT RESOLVED, that the Maricopa County Board of Supervisors ask that all residents of this County join us in honoring the registered nurses who care for all of us; and

BE IT FURTHER RESOLVED that the residents of Maricopa County celebrate registered nursing's accomplishments and efforts to improve our health care system and show our appreciation for the nation's registered nurses not just during this week, but a every opportunity throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the County of Maricopa to be affixed this 16th day of April 2003.

/s/ Fulton Brock, Chairman
/s/ Andy Kunasek, District 3

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/s/ Don Stapley, District 2
/s/ Max Wilson, District 4
/s/ Mary Rose Wilcox, District 5

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

Supervisor Wilson commented that his daughter is a nurse and said "nurses aren't just a nurse at the hospital or the doctor's office, they are also the first one the family or the neighbors call when something goes wrong, usually in the middle of the night, and they usually answer each call and keep a smile on their face." He felt residents should be very proud of having nurses a part of their community.

PROCLAMATION FOR CESAR CHAVEZ

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to honor Cesar Chavez, National Civil Rights Leader, by proclamation. Supervisor Wilcox said that this proclamation will be presented to Cesar Chavez High School during an April 23rd memorial when it will be posted on their memorial wall dedicated to his memory. She said she would give each Supervisor a Cesar Chavez commemorative stamp on that date. (Addendum item A-1) (ADM650)

**PROCLAMATION IN HONOR OF
CESAR ESTRADA CHAVEZ**

WHEREAS, the United States Postal Service honors various Americans by issuing a commemorative stamp;

WHEREAS, Cesar Estrada Chavez, an American Labor Leader (1927-1993) born in Yuma, AZ; raised as a migrant worker; served honorably in the U.S. Navy during World War II; worked for the community service organization; and was responsible for organizing the national farm workers association and the AFL-CIO;

WHEREAS, in 1968, Chavez gained nation-wide attention while boycotting California table grapes in a drive to achieve parity for migrant worker labor contracts;

WHEREAS, Chavez died in April 1993 and was recognized by the President of the United States of America as a non-violent world leader for human rights;

THEREFORE, BE IT RESOLVED that Maricopa County, on this sixteenth day of April, 2003, joins in honoring Cesar E. Chavez in conjunction with the issuing of the official United States Postal Service commemorative stamp.

/s/ Fulton Brock, Chairman
/s/ Andy Kunasek, District 3
/s/ Don Stapley, District 2
/s/ Max Wilson, District 4
/s/ Mary Rose Wilcox, District 5

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

AWARDS FOR THOSE WITH 30 OR MORE YEARS OF PUBLIC SERVICE TO MARICOPA COUNTY

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Presentation to the following employees with service award plaques. These employees have provided 30 or more years of public service to Maricopa County. (C35030249) (ADM650)

- Dorothy B. Matuskevitz, County Attorney's Office, 30 Years as of January 2, 1973
- Lauro E. Martinet, Public Health, 30 Years as of January 1, 1973
- Carol D. Risch, Justice Courts, 30 Years as of February 5, 1973
- Martha L. Bern, Animal Care & Control, 30 Years as of February 13, 1973
- Terry J. Adams, Public Defender's Office, 30 Years as of February 15, 1973
- Walter E. Weglarz, Materials Management, 30 Years as of February 16, 1973
- Michael W. Brannan, Transportation, 30 Years as of February 20, 1973 (Retired January 10, 2003)
- Omer J. Mertens, Sheriff's Office, 30 Years as of February 26, 1973
- Deborah L. Overton, Sheriff's Office, 30 Years as of March 5, 1973
- David R. Navarrette, Transportation, 30 Years as of March 5, 1973
- Susan M. Fair, Assessor's Office, 30 Years as of March 25, 1973

Chairman Brock commented that an award as the Best Run County in America, which was received by Maricopa County last year, does not happen unless there are dedicated employees "who care" working to make it happen. He said, "You've just heard some of the ideas that we get from the employees to save us money. We're proud of the people who work at Maricopa County." He said that recognition of employees who have worked for the County for 30 or more years is something that will be on-going in a Wall of Fame so they may be continuously celebrated. The awards were presented to employees by the head of the department in which they work.

DEANNEXATION/ANNEXATION - CONTINUED

Chairman Brock announced that pursuant to A.R.S. §9-471.02, this was the time scheduled for a public hearing regarding ordinances filed by the City of Scottsdale and the Town of Fountain Hills deannexing and annexing certain territory within their present corporate limits. The City of Scottsdale will deannex and the Town of Fountain Hills will annex tracts K, J, and P of Cordillera at Copperwynd, a subdivision plat recorded in Book 483 of Maps, Page 8, Records of Maricopa County, Arizona, approximately 1.69 acres. (ADM4223)

Supervisor Stapley said that this item contains a city boundary that would be altered and it shouldn't be altered prior to the Fountain Hills hearing on the proposed Fire District Impact Statement that follows as the next item. Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) to continue this item to the May 7, 2003, meeting.

PUBLIC HEARING ON PROPOSED FOUNTAIN HILLS FIRE DISTRICT

Chairman Brock announced the public hearing regarding the Impact Statement for the proposed Fountain Hills Fire District, to be located in the community of Fountain Hills all as specifically described in the legal description submitted and on file with the Office of the Clerk of the Board of Supervisors. The Board will hear those who appear for and against the proposed district and shall determine whether the creation of the district will promote public health, comfort, convenience, necessity or welfare. If the Board determines that the above criteria and related requirements outlined in the statutes (i.e. endorsing resolutions or ordinances from incorporated cities or towns within the proposed district) are met it shall authorize the persons proposing the district to circulate and submit petitions containing signatures of more than one-half of the qualified electors within the boundaries of the proposed district, and more than one-half of the

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property owners in the area of the proposed district, and by persons owning collectively more than one-half of the assessed valuation of the property in the area of the proposed district, in the manner provided by law (A.R.S. §§48-261, 48-265, 48-266). (ADM4434)

Citizens who registered their support for this Fire District included: Hugh Henry, John Cutillo, Rita Brown, Tammie Rothermel, Tim Yoder, D.H. Scofield, Ramona Yoder, Robert Yordy, Thomas C. Roche Jr., Lynn A. Medley, James Bates, A. VanRuitenbeek, Ken Erickson, Councilman Mike Archombault, Margaret Ellen Wanat, Linda Travis, Priscilla Wist, Peggy Schafranka, Robert Kepler, Ralph H. Truax, Lillian Kuiken, Frank Serpico, Sandy Zinn, Ted Sherick, Herbert W. Rolumin, W. J. Barnicoat, John Wyman, William Albert Powley, George Philip Morris, John Rosenquist, Robert Tripp, Bob Daniels, Carolyn McClure, Moylan Smith, John Turner, Linda Turner, Eugene G. Owens, Marjorie A. Smith, Irvine Macleod, Charles L. Liss, Paul Keniston, Glenn Brown, Ilavere I. Chesnut, Brady Travis, Donald R. Chesnut, Mary Davenport, Robert Travis, Colleen MacLeod, Bob Kepler, Mayor John Beydler, Earl B. Claric, David Hansen. Those protesting the Fire District included: Karim Ostovar, Robert C. Barbanica and Ron Bruno.

Mayor Beydler reported that with regards to a new fire district, Fountain Hills residents "are concerned, they are involved, and they are here." He asked all those who made the trip to attend this meeting to stand. An official statement of the town was issued in which they assumed responsibility for fire and emergency medical service in October 2001. However, voters defeated a subsequent property tax ballot in May 2002, that would have funded those services. In December 2002, a Blue Ribbon Committee was formed through a Town Council resolution. They met in public sessions to analyze, assess and review possible methods of financing fire and emergency medical services for the town. The committee's recommendation was presented to the Council January 2, 2003, and action on this recommendation was subsequently approved in three parts.

1. Implement a temporary one-cent sales tax increase to fund these services. This tax would sunset upon receipt of property tax revenue or the creation of a Fire District and receipt of funding, whichever came first. The tax was implemented on April 1, 2003.
2. Authorize an election in May 2003 for a public vote on a primary property tax to fund these services in the town.
3. Authorize residents interested in establishing a Fire District to pursue the concept through December 31, 2003. If successful by that date, the secondary property tax levied by a new fire district would replace the primary property tax set in the May 2003 election.

Mayor Beydler said that these three things "all work together sequentially and that he and the Town Council are "united in seeing that all three become a reality." If this happens, in FY2004-05 the primary tax levy would be reduced to 'zero.' He said the Town Council voted unanimously 7-0 to do all three things. The Council approved the Impact Statement in February 2003 and the Committee has kept the Town apprised of their progress and activities in their efforts to form a new Fountain Hills District since that time. He thanked Supervisor Stapley for his efforts in this matter.

Hugh Henry, Chairman of the Committee to Save Our Community, asked for approval of this Impact Statement to help resolve a serious financial problem and reduce the deficit. He said they have collected 900 signatures of those wanting a new district. He indicated that the Town Council has raised the question of circulating one petition vs. two petitions because of the ambiguous wording in A.R.S. 48-261. He gave three reasons why the Fountain Hills district formation is different from most and why they feel a single petition is adequate.

1. There is no longer any major property development holder in the town because it is built-out at the rate of 83% with only 300 of the 12,000 developable properties remaining.

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2. The property owner is the one who will pay this tax not the voters.
3. The number of registered voters is artificially high due to the ambiguous wording of statute producing an inefficient purging of the voter rolls. He feels a single petition based on property values would suffice but he said that they will concur with today's decision by the Board.

The initial board members recommended by the Committee had all met high standards which included reviews of their expertise in business, having the trust of the community and making sure there were no conflicts of interest. They would serve until a full board is elected by the voters.

Robert Barbanica, a retired firefighter who spoke in opposition, said the previous fire board neglected to do the kinds of things that "normal fire departments" do. He said that these people are "running on policies that were popular 20-30 years ago and there is a whole new world in fire science and fire fighting that they seem to ignore." He explained that right now there is no fire board and the fire department is running much better than it ran before. He indicated that they have new equipment, high morale and are working towards making more improvements. He felt that this will all be reversed if a new fire board gets in because those pushing for this new board are the exact same people that were either on or behind the previous boards explaining that they run it "as a business as opposed to running it as a fire department." He said that if this is sanctioned it is done at the risk of the citizens of Fountain Hills.

Ron Bruno said there wasn't time to list all the reasons he is opposed to this new district. He said those pushing for this are "the core of the old fire district and they want the fire district back." He said the district was created in Fountain Hills many years ago when it was a rural area. "This is a modern age. We don't need a fire district. We don't need another bureaucracy for people to have power struggles in just to have their agendas met! He challenged that they now have the best fire department in Maricopa County. "Their response time is tremendous and their treatment of senior citizens is fabulous and this is not due to any fire district." The department is currently controlled by Rural Metro. "We don't need a fire district and we don't want to go through what we went through with the last fire district, and these people wanting a new district are all from the old district." He said the town collected 3,000 signatures of registered voters to get rid of the old fire board in two weeks one summer. "We could still supply 10 times as many signatures against this as they can for it." He indicated however, that if the effort continued he felt that two petitions would be the best in compliance with statute.

Supervisor Stapley explained that several issues were under consideration at today's hearing including:

- A determination if the district would promote the public health, comfort, convenience, necessity or welfare of the community within the boundaries it will serve.
- Based on that determination, a decision regarding the circulation of petitions
- A question regarding the number and type(s) of petition(s) to be circulated
- The exact boundaries of the district (reference the previous agenda item to change the boundaries of Fountain Hills that was continued to May 7)
- Conditions outlined in the town's resolution related to the creation of a fire district

Paul Golab said that the Board's approval should be based on an unconditional resolution of support from the Town Council and approving the conditions as stated in it now could present complications down the road.

Supervisor Stapley asked the Mayor if he could go back to the Town Council and ratify a more clearly defined support resolution that removes the December 2003, petition circulation deadline. The Mayor answered in the affirmative.

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Mr. Golab also explained that the other condition is that the Town Council must review the Impact Statement and the Minutes of the Council meeting indicate that not all of the exhibits were attached and that Council approval was subject to further review by city attorneys. He said that there is no verification that any of this has happened. He said that an unconditional resolution approving the Impact Statement is needed from the Town Council. The Mayor indicated that it was passed at a subsequent Council meeting and is in that set of Minutes, which could be referenced.

Supervisor Stapley said the third issue is the successful pre-clearance by the Department of Justice as to the form of the petition. "This is something that this Board's agreement today has to be conditioned on."

Jill Kennedy, County Counsel, entered the meeting and distributed a list of instructions and six suggested amendments to this proposed action to the Board and other interested parties saying that resolving them would help this item move forward. She read the list and answered questions.

SIX CONDITIONS REQUESTED

First: The proponents are directed to amend the impact statement to include additional information and instructions, which the Board of Supervisors deems relevant and necessary as set forth below:

1. Description of Boundaries:
The organizing board shall take action that may be necessary to ensure that the boundaries of the proposed fire district "cover the entire incorporated area of the Town of Fountain Hills" as those town boundaries exist on or before the December 31, 2003, deadline set forth in Town Resolution 2003-02 (1/16/03). The organizing board shall obtain written confirmation from the Town of Fountain Hills that the detailed, accurate map of the proposed district and the description of the boundaries of the proposed district, attached to the Amended Impact Statement and the Petitions, do cover the entire incorporated area of the Town of Fountain Hills.
2. Property Tax Liability:
The organizing board shall disclose in the Impact Statement that the actual taxes that may be levied for the fire district will be based on the budget adopted by the district board. The tax levy to support that budget may not exceed \$ 3.00 per \$ 100 of assessed valuation.
3. Proposed Members of the Fountain Hills Fire District's Organizing Board:
Members of this board shall be qualified electors of the district. At least 120 days before the November 2004 General Election, the County Board of Supervisors shall order an increase in the number of members of the proposed district board, all as required by state law (A.R.S. 48-803), and five board positions will be voted upon at the general election in accordance with A.R.S. 48-803.
4. Endorsement of Creation of the Fire District by the Town Council.
The County Board of Supervisors' approval is conditioned on the terms and requirements established in the Town Council's endorsements set forth in Resolution 2003-02 (1/16/03)
5. The proponents of the proposed Fire District are authorized to circulate and submit petitions containing signatures of more than one-half of the qualified electors within the boundaries of the proposed district, and more than one-half of the property owners in the area of the proposed district, and by persons owning collectively more than one-half of the assessed valuation of the property in the area of the proposed district, which shall be verified as provided in A.R.S. 48-261, 48-265 and 48-266.

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6. County recognition and approval of the impact statement, petitions, and formation of the proposed fire district is conditioned on successful preclearance of formation and election procedures by the district, the organizing board and the district board with the U. S. Department of Justice (28 CFR 51.1 et seq).

Second, the amended impact statement shall be submitted to the Clerk of the Board of Supervisors who will review and verify inclusion of this information and these instructions, and notify the organizing board of the sufficiency of the amended statement prior to the statement's final approval and acceptance by the County, and prior to circulation of petitions.

Supervisor Stapley commented on several of the items and on Item #5 asked how many petitions it would take. Ms. Kennedy said that there are two forms that are required for areas that are forming a new fire district or changing district boundaries, and that sample forms have been prepared to cover this situation. One form covers the number of owners and the value of property required by statute. The second petition is for the qualified electors. She indicated that two petitions would be necessary in this instance and this is a requirement of the Statutes.

Mayor Beydler asked if these criteria have been universally applied in other communities in the County when they formed a fire district or if Fountain Hills was being singled out.

Ms. Kennedy said that this practice has been the law in Arizona since 1986 and two attorneys general have issued opinions to support this requirement. She explained that the criteria on each form are entirely different. She said that to her knowledge this has been the only practice used in Maricopa County and in the State since passage. She has studied this statute and explained that all three criteria are cumulative requirements and are not separable.

Supervisor Stapley said that it may be more "burdensome" to ask people to sign twice but he felt it would be better in the long run to be "safe than sorry." He asked the Mayor if he had any other questions or if he thought the Town Council could accept these six conditions. The Mayor replied that, as stated earlier, they would comply with what was asked of them by the Supervisors.

Paul Golab said that previous discussion had indicated that the Town Council must issue a new, unconditioned resolution. He pointed out that these six items are conditioned on the approval of the Board as conditioned upon compliance with the Resolution as already issued. He indicated that he wanted to be sure the Board was aware of this ambiguity.

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to determine that the creation of the district will promote public health, comfort, convenience, necessity or welfare in the community of Fountain Hills and to authorize the circulation of petitions conditioned on compliance with the Conditions of Approval and instructions introduced earlier by Ms. Kennedy, and based on the testimony and evidence presented today to the Board of Supervisors.

Chairman Brock called a two-minute break to allow people to file out of the auditorium.

LIQUOR LICENSE APPLICATION

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Kunasek and seconded by Supervisor Wilson, to recommend approval of the following liquor license applications:

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- a) Application filed by Margaret E. Graziano for an Original, Series 4 Liquor License: (LL6084)

Business Name: H. Cottage Distributing
Location: 18256 East Williams Field Road, Higley

- b) Application filed by John Christopher Garry for an Original, Series 10 Liquor License: (LL6085)

Business Name: 91st & Northern Chevron
Location: 9031 West Northern Avenue, Glendale

- c) Application filed by J. Joseph Diemer, for a Special Event Liquor License: (F23105)

Organization: Tempe East Rotary Club Foundation
Location: 2716 North Dobson Road, Chandler
Date & Time: Saturday, May 10, 2003; 12:00 noon – 12:00 midnight

Motion carried by majority vote (4-1) with Supervisors Stapley, Kunasek, Wilson and Wilcox voting "aye" and Supervisor Brock voting "no."

ONE YEAR LEASE EXTENSION WITH PRESSON ADVISORY, LLC

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve and execute a one-year lease extension with Presson Advisory, LLC, as successor in interest to CUNA Mutual Life Insurance Company, for a 10,293 square foot single story building located in Airport Park at 2544 East University, Phoenix, Arizona, for the period May 1, 2003, to April 30, 2004. The site will continue to be used by the STAR Call Center to process inbound calls to Board of Supervisors Main County Switchboard, County Treasurer, County Assessor, Clerk of the Superior Court, and County Recorder including Elections. Annual rent for the facility will be \$16 a square foot or \$164,688, plus rental tax, annually for a total of \$168,640.51. The original lease has a six month "Hold Over" clause. (Original lease approved under C43980014 County Treasurer.) (C4398001401)

EXPENDITURE AND TRANSFER FROM THE FY 2002-2003 GENERAL GOVERNMENT, DETENTION FUND APPROPRIATED FUND BALANCE, RESERVE CONTINGENCY ITEM, "NICE VISION SECURITY SYSTEM"

Per ARS 42-17106(B), motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve an expenditure and transfer of \$91,900 from the FY 2002-2003 General Government, Detention Fund Appropriated Fund Balance, Reserve Contingency Item, "Nice Vision Security System," to a new Detention Fund Appropriated Fund Balance Program, "Jail Surveillance System," for the purchase and installation of equipment, software, etc. to complete a Jail Surveillance System. Also direct OMB to budget from the remaining reserve balance a carryover in the amount of \$3,908,100 to continue funding of Jail Surveillance System project. (C50030628) (ADM3900-003)

DONATION OF CAMP TRAILER AND ADDITION TO THE FLEET

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to accept a donation of a 1989 Clear Sky Coach Camp Trailer and add to the Sheriff's Office fleet. There is no initial acquisition cost with no cash outlay required. The estimated maintenance is anticipated to be less than \$500 per year and will be paid for with Sheriff's Office budgeted funds. Current vehicles from

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the Sheriff's Office fleet will haul this trailer so that it can be used as a portable command office during the course of homicide investigations, critical incidents, major felonies and other crimes occurring in remote areas of Maricopa County. (C5003063M) (ADM3900)

TEMPORARY ADDITION TO THE FLEET OF ONE RICO FORFEITED HORSE TRAILER

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve a temporary addition to the Sheriff's Office fleet of one RICO forfeited horse trailer. This three-horse trailer has been forfeited through the County Attorney and is Sheriff's Office property. RICO funds will support maintenance costs. This trailer has an estimated value of \$10,000. There will be no vehicle replacement cost since it is a temporary addition to the County fleet and will automatically be removed from MCSO fleet inventory when its useful life has expired. Approval of this item will enable the Sheriff's Office, MASH Unit, to haul large animals seized from abusive environments. An existing Sheriff's Office MASH unit will be used to haul the trailer. (C5003068M) (ADM3101)

TERMINATION OF LEASE WITH KING FAMILY TRUST

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize an early termination option for Lease No. L7136 with King Family Trust, B. Gale Wilson & Carolu Wilson, Partnership, effective August 31, 2003, for the existing court located at 1837 S. Mesa Drive. Lease L7136 was previously approved and amended under CS916095 and C2497003402. A penalty for early lease termination of \$24,664.04, plus estimated moving costs of \$27,933, totaling \$52,597.04, will be offset by a partial rent abatement and waiver of the operation component of rent with the new lease for replacement space the first ten-months. (C24970034YY)

FULL SERVICE LEASE INTERGOVERNMENTAL AGREEMENT WITH TOWN OF GILBERT

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a new full service lease Intergovernmental Agreement No. L7331 with the Town of Gilbert for an 11,186 square foot Justice Court facility for the South Mesa/Gilbert Justice Court located at the Gilbert Public Safety complex located at 55 East Civic Drive in Gilbert. The lease term commences on September 1, 2003, or upon date of possession of the premises by Maricopa County, and expires on June 30, 2006. The lease provides two one-year renewal options after the initial term. The rental cost for the first 10-months is \$100,800. Annual base rent for subsequent years is \$153,000, plus operating costs of \$23,000, annually. The proposed lease contains a 180-day termination clause. Reduce the base FY 2003-2004 expenditure target for Justice Courts/General Fund by \$14,299 to reflect lease payments and early termination penalties. Direct the Office of Management and Budget to include \$51,500 in the FY 2003-2004 budget for Appropriated Fund Balance/General Fund for the non-recurring costs associated with the move. Expenditures will be subject to prior review and approval by the Office of Management and Budget. (C24030054)

APPOINTMENTS OF COURT COMMISSIONERS AS SUPERIOR COURT JUDGE PRO TEMPORE

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following appointments of Court Commissioners as a Superior Court Judge Pro Tempore, to serve in the various programs in the Superior Court to reduce trial delay:

- (a) Lisa Roberts, for the period from April 7, 2003, through December 31, 2003.
(C38030177) (ADM1001)

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- (b) David Sands, for the period from June 24, 2003, through December 31, 2003.
(C38030187) (ADM1001)

CRITICAL SALARY INCREASE

Item: Approve a waiver to the Maricopa County Compensation Plan, Section VII.A to allow a critical salary increase for four Chandler City Court security officers, retroactive to January 6, 2003. The increase, retroactive pay, and benefits will come from the City of Chandler and have no financial impact on Maricopa County. (Office of Management and Budget recommended denial of this waiver.) (C38030198) (ADM3308-001)

Gordon Griller, Superior Court Administrator, asked for a policy waiver so guards in the Chandler City Courts can receive a pay raise funded by Chandler. These are County employees who serve in several city courts but are not rotated and generally regarded and treated as city employees. When extra services are called for the city pays extra to the guard providing them. The City of Chandler is requesting to increase their payment so they can give these guards a small 18 cent/hour (2%) raise along with the City employees (this explains why there is no financial impact on the County).

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a waiver to the Maricopa County Compensation Plan for reasons stated above.

AGREEMENT WITH ARIZONA COMMUNITY FOUNDATION, HUMAN SERVICES CAMPUS

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve an agreement among the Arizona Community Foundation (ACF), Human Services Campus, LLC, and Maricopa County. The agreement sets forth the terms and process according to which donated funds maintained by the Arizona Community Foundation on behalf of the Human Services Campus, LLC will be transferred to Maricopa County for campus construction activities. The Human Services Campus, LLC was incorporated in April of 2002 for the purpose of providing a variety of services to the homeless and indigent at the new campus being constructed in downtown Phoenix. The LLC is filing to be designated a 501(C)(3) organization. Until 501(C)(3) status is obtained, Arizona Community Foundation is serving as the LLC's fiscal agent, thereby facilitating tax deductible donations to the capital campaign for construction of the Campus. This agreement enables the transfer of donated funds from the Arizona Community Foundation to Maricopa County, who is the construction manager for the Campus project. (C20030130)

OPERATING AGREEMENT OF HUMAN SERVICES CAMPUS, LLC

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the Operating Agreement of Human Services Campus, LLC an Arizona Limited Liability Company and authorize Annette Stein to sign the agreement. The members/managers of the Human Services Campus, LLC, who are parties to this agreement, include: the Northwest Organization for Voluntary Alternatives, Inc.; The Diocesan Council of Society of St. Vincent de Paul, Diocese of Phoenix; Central Arizona Shelter Services, Inc.; St. Joseph the Worker Job Services, Inc. and Annette Stein as the Manager appointed by the Maricopa County Board of Supervisors. (C20030140)

LEASE WITH KOLL BREN FUND V, LP – OFFICE OF LEGAL ADVOCACY

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve and execute a new Full Service Lease No. L7334 with Koll Bren Fund V, L.P., Lessor, for

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5,730 square feet of office space located at 411 N. Central, Suite 400, Phoenix, for the Integrated Criminal Justice Information System (ICJIS) department. The lease term is for 36-months commencing May 1, 2003 and expiring on April 30, 2006 and will allow the ICJIS staff to be consolidated into one office location. Maricopa County may cancel this lease at the end of any fiscal year, due to non-appropriation of funds. In the event of early termination by Maricopa County, 1/36th of Lessor's unamortized tenant improvements times the number of full months remaining in the lease term will be owed Lessor. An expense stop, after base year 2003 requires Lessee to pay a pro rata share of operating expenses (2.7316%). The Lease includes 3 covered reserved parking spaces at \$40.00 per space per month, 3 covered unreserved parking spaces at \$20.00 per space per month, 3 rooftop parking spaces in the parking structure and 9 parking spaces in the surface lot north of the building at \$10 per space per month. The annual rental costs including parking and the 2.4% rental tax are as follows: Year 1, \$78,167 (5,730 sq. ft. @ \$15.25 per sq. ft., minus 2 months free rent (-\$14,564) plus \$1,747.7 rental tax & \$3,600 for parking). Year 2, \$96,013 (5,730 sq. ft. @ \$15.75 per sq. ft., plus \$2,166 rental tax & \$3,600 for parking). Year 3, \$98,947 (5,730 sq. ft. @ \$16.25 per sq. ft., plus \$2,235 rental tax & \$3,600 for parking). The lease also contains an option to pay thirty-six (36) equal rent payment based on an annual rental rate of \$14.90 per square foot. (C42030014) (Clerk's Note: Per department notification on May 5, 2003, Legal Advocacy will not be pursuing construction as outlined in the amendments – no documents will be forthcoming.

ADDITION TO FLEET OF ONE NEW INTERMEDIATE SEDAN

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve an addition to fleet of one new intermediate sedan for the Office of the Legal Advocate (OLA) at an estimated purchase price of \$18,000. It is estimated that annual operating expenses for fuel, maintenance, and parking will be \$5,100. In a February 5, 2003, report analyzing the budget impact of the Ring decision, OMB recommended funding for the purchase of one Indigent Representation vehicle. This is due to an expected increase in local travel for the delivery of investigation and mitigation services related to capital cases resulting from an increase in indigent defense workloads. (C55030020) (ADM3101)

AMENDMENT TO LEASE WITH KOLL BREN FUND VLP

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve Amendment No. 1 to Lease No. L7296 between Koll Bren Fund V.L.P. and Maricopa County. This lease was original approved and signed May 27, 2000, under contract number C33002984. The lease amendment addresses tenant improvements to be completed in Suite 825 of 411 North Central Avenue (known as the "411 Building"). The estimated cost of the improvements is not-to-exceed \$33,000 and will be absorbed within OLA's existing FY 2002-2003 budget. OLA has been subleasing a portion of Suite 825 to the ICJIS department, who will vacate the space in late April. ICJIS will relocate their existing cubicles to their new site upon relocation, leaving this space totally open with no subdivision. OLA is requesting to construct up to eight hard walled offices in the suite, in order to accommodate the expansion of department staff recently approved by the BOS in response to new capital legislation. (C55030034 01)

REJECT CLAIM DEMANDS

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to reject claim demands (March 2003) for emergency medical services from private medical providers to patients who do not meet the requirements of Arizona Revised Statutes or Maricopa County Policies and are, therefore, not the responsibility of Maricopa County pursuant to A.R.S. §11-629 (not a proper charge against the County) and A.R.S §11-622 (claims not having been filed within six-months after the last item of the account accrues). (ARS §11-629 \$344,087.03 and ARS §11-622 \$-0-) (C39030127) (ADM1804)

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Monthly Summary Report
April 2003

Vendor	Amb., Doctors, Hosp. Ars 11-629	Over Six Months Ars 11-622
Advanced Cardiac Specialists	4,974.71	0.00
Center For Neurology & Stroke	1,150.00	0.00
City Of Phoenix Ambulance	1,076.37	0.00
Emergency Assoc Of Arizona	200.00	0.00
Hospitalists Of Arizona	304.00	0.00
Maricopa Health Systems	387,137.22	0.00
Medpro	21,187.75	0.00
Physician Trauma Service	265.00	0.00
Professional Medical Transport	10,122.16	0.00
Rural Metro Ambulance	3,858.58	0.00
Sjh Trauma Billing	465.87	0.00
Southwest Ambulance	16,739.99	0.00
St Josephs Hosp Arizona	86,660.27	0.00
St Luke's Medical Center	8,304.06	0.00
Tempe Emergency Physicians	285.00	0.00
Tri-City Fire Department	745.00	0.00
Grand Totals:	543,475.98	0.00
Restitution	0.00	
Totals Denials:	543,475.98	

PERSONNEL AGENDA

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the Personnel Agenda (Judicial Branch and Maricopa County). (List on file in the Clerk of the Board's Office.)

MANAGEMENT INCENTIVE PROGRAM PERFORMANCE PLAN

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve a Management Incentive Program Performance Plan for Michael Schaiberger, Director of Innovations, for the period October 1, 2002, through September 30, 2003, in the amount of \$9,900, and in compliance with the Board approved Management Incentive Policy. (C20030126) (ADM3308-002)

2003 Management Incentive Program Performance Plan

Michael Schaiberger, Director of Innovations, will receive an additional Incentive Compensation Package of \$9,900 (10% of his salary), payable annually upon his meeting the following goals for the rating period of October 1, 2002 through September 30, 2003.

Total Compensation – Employee Benefits

1. Provide management oversight to ensure successful implementation and integration of Plan Year 2003 health insurance program with the following controls in place to:

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- a. Monitor vendor performance and adherence to contract and performance guarantees.
 - b. Measure long-term viability of benefit program and fiscal impact on Maricopa County.
 - c. Measure customer satisfaction of Maricopa County employees and their families.
 - d. Redefine the benefit program to be competitive with those offered by other large employers in Maricopa County for the purpose of increasing employee satisfaction and to contribute to the reduction in turnover.
2. Oversee the Employee Benefits Manager on re-engineering efforts within the benefit division to ensure compliance with two Internal Audit responses, and in developing best practice procedures for benefits and financial administration of the programs.
3. Update and maintain the Cafeteria Plan Documents required by IRS Section 125. Oversee the Board of Supervisor approval process for such documents.
4. Develop a comprehensive benefits communication plan, which will target specific health initiatives as well as educate and inform Maricopa County employees and their families. Work with Research and Reporting to measure effective distribution channels.
5. Develop a Group Service Agreement/Interdepartmental Agreement between County Administration and MIHS/Health Plan, which outlines deliverables for both MIHS/Health Plan HealthSelect enrollees and County Administration.
6. Improve operating relationship between County Administration and MIHS/Health Plan.
7. Develop key performance measures for the Benefits Operation.
8. Support and facilitate the marketing of MIHS/Health Plan HealthSelect to county employees.
9. Maintain and improve Employee Satisfaction within the Maricopa County Benefit Program as measured by the annual Benefit Satisfaction Survey.
10. Improve operating relationships, expectations and communications related to the health insurance program between the Benefits Operations and Chief Officers, Department Heads, Benefit Liaisons, Human Resource Liaisons, Employee Benefit Advisory Committee members and agency Public Information Officers.
11. Oversee the 2004 Health Insurance contract renewal, institutional communications and authorization by the Board of Supervisors
12. Continue to integrate Benefits and Compensation into one Total Compensation concept.
13. Monitor and evaluate the Retiree Health Insurance Benefits Program in light of legislative actions and overall county priorities.

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14. Review and update the Strategic Plan for the Benefits Operation.
15. Improve Employee Satisfaction for employees working in the Benefits division.
16. Investigate and recommend IT solutions, which will enhance customer services, data integrity, and provide reliable informational reports for management usage.
17. Ensure that employee data is protected according to State and Federal laws.

Total Compensation – Compensation Services (Gainsharing & Market Range Project)

1. Facilitate the development and implementation of gainsharing programs within county departments.
2. Continue development and implementation of the Market Range concept.
3. Contribute to a compensation strategy and policy for 2003, if the County's fiscal situation improves and salary advancements are reinstated.
4. Implement appropriate audit compliance measures pursuant to the 2002 Internal Audit of Compensation policies and practices.
5. Contribute to a paid-time-off leave performance strategy and policy for 2003.
6. Improve employee satisfaction for working employees in the Compensation division.
7. Review and update the Strategic Plan for Compensation

County Wide

1. Serve as a member of the Managing For Results (MfR) corporate review team.
2. Serve as a member of the Human Resources/IT planning and review committee.
3. Continue to support the improvement of employee satisfaction within county government.
4. Continue to support the publication of the County Administration Newslines and the EBC Web site.
5. Continue to support the fund raising efforts of the Chairman of the Maricopa County employee's Combined Charitable Campaign (CCC).
6. Support diversity and equal opportunity employment practices throughout the organization.
7. Implement the 2003 Benefits Satisfaction Survey.
8. Support the county's legislative agenda and strategies where appropriate.

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9. Support Director of Health Care Mandates in matters pertaining to healthcare, managed care, Medicaid, and other entitlement programs.
10. Ensure that employee data is protected according to State and Federal laws.
11. Investigate and recommend IT solutions, which will enhance customer services, data integrity, and provide reliable informational reports for management usage.
12. Ensure that employee data is protected according to State and Federal laws.

SECOND QUARTER GAINSHARING AWARD FOR REGISTRATION, FINANCIAL COUNSELING & ELIGIBILITY FY 2003 GAINSHARING PROGRAM – MARICOPA MEDICAL CENTER

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the second quarter (October 1, 2002, through December 31, 2002) gainsharing award for eligible employees who participated in the "Registration, Financial Counseling & Eligibility FY 2003 Gainsharing Program". The Board approved this program on September 4, 2002 (Agenda No.: C35020056), and later revised the FY 2003 baselines for this program on April 2, 2003 (Agenda Number: C3502005601), which are listed below. The awards for the first quarter, second quarter, and for the remainder of the fiscal year, are based on these new baselines:

- Maricopa Medical Center/Comprehensive Health Care Center/Desert Vista - Baseline increased from \$175,000 to \$309,000;
- Family Health Centers - Baseline remains the same, \$175,000, as originally submitted on September 4, 2002. (C35030236) (ADM3345-002)

**MIHS Registration, Financial Counseling & Eligibility
Gainsharing Program FY 03
Second Quarter Award Summary Report
10/01/02 through 12/31/02**

This report will be attached to the agenda item. The baselines were revised and approved by the BOS on 04/02/03. The revised baselines were/are used in calculating the award for the first quarter, second quarter, and the remainder of the FY03 fiscal year.

Family Health Clinics (FHCs) – Validation Report prepared by Kate Geisler, Director:

1. Goal: To exceed Cash collections of \$175,000 for FY 03 Quarter 2 (50% of the Award)
Actual: As of 12/31/02 collected \$288,651 in total. Gross amount over goal was \$113,651. Less key stroke error from quarter one of \$6,140 equals net amount over goal of \$107,511.
\$67,758 will be returned to the MIHS Enterprise Fund. Gross employee gainsharing pool is \$39,753. A 25% reserve of \$9,938 is withheld from the gross employee gainsharing pool to be paid out at the end of the year, if all the goals are met in at least three out of the four quarters. Net employee gainsharing pool is \$29,815.

CASH GOAL WAS ACHIEVED.

2. Goal: To initiate AHCCCS applications on 95% of the Ability to Pay (Self-Pay) patients (25% of the Award)
Actual: DES AHCCCS applications were initiated on 98% of eligibility Ability to Pay (Self-Pay) patients.

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AHCCCS APPLICATION GOAL WAS ACHIEVED.

3. Goal: To achieve a quality assurance rate of 95% on all registered accounts (25% of the Award)
Actual: The quality measure for all registered accounts was not met in the second quarter. The average for the 12 Family health Centers was 91%.

QUALITY GOAL WAS NOT ACHIEVED.

For the FHCs, two out of the three goals were achieved, and 52 employees are eligible for a gainsharing award. Based on the percentages from the goals above, \$22,361 ((29,815 times .50)+(29,815 times .25)) is the available funding for the employee gainsharing pool. Since one goal was missed (quality), \$7,454 will remain in the employee pool. In addition to the 25% reserve/withhold of \$9,938 this amount will be paid out at the end of the year if all the goals are met in at least three out of the four quarters. Amount available for eligible employees less the fringe benefit factor (10.14%) of \$2,267 is \$20,093. The fringe benefit factor covers all employer based benefit/tax contributions paid on behalf of the employees which includes: FICA 6.2%, Medicare 1.45%, ASRS Retirement 2.00%, and ASRS Long Term Disability .49%.

Gainsharing award before taxes is (\$20,093/52) equals \$386 per eligible employee.

MMC/CHC/DV – Validation Report prepared by Sharon Anthony, Director:

1. REVISED Goal: To exceed Cash collections of \$309,000 for FY 03 Quarter 2 (50% of the Award)
Actual: As of 12/31/02 collected \$477,889 in total. Amount over goal was \$168,889.
\$110,722 will be returned to the MIHS Enterprise Fund. Gross employee gainsharing pool is \$58,167. A 25% reserve of \$14,542 is withheld from the gross employee gainsharing pool to be paid out at the end of the year, if all the goals are met in at least three out of the four quarters. Net employee gainsharing pool is \$43,625.

CASH GOAL WAS ACHIEVED.

2. Goal: To initiate AHCCCS applications on 95% of the Ability to Pay (Self-Pay) patients (25% of the Award)
Actual: DES AHCCCS applications were initiated on 97% of the Ability to Pay (Self-Pay) patients.

AHCCCS APPLICATION GOAL WAS ACHIEVED.

3. Goal: To achieve a quality assurance rate of 95% on all registered accounts (25% of the Award)
Actual: The quality for all registered accounts was 98%.

QUALITY GOAL WAS ACHIEVED.

For MMC/CHC/DV, all three goals were achieved, and 55 employees are eligible for a gainsharing award. Based on the percentages from the goals above, \$43,625 ((43,625 times .50)+(43,625 times .25)+(43,625 times .25)) is the available funding for the employee gainsharing pool. The 25% reserve/withhold of \$14,542 will be paid out at the end of the year if all the goals are met in at least three out of the four quarters. Amount available for eligible employees less the fringe benefit factor (10.14%) of \$4,424 is \$39,202. The fringe benefit factor covers all employer based benefit/tax contributions paid on behalf of the employees which includes: FICA 6.2%, Medicare 1.45%, ASRS Retirement 2.00%, and ASRS Long Term Disability .49%.

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Gainsharing award before taxes is (\$39,202/55) equals \$713 per eligible employee.

The first quarter reserve was reduced by \$1,009 for the two employees omitted from the certified eligible list. See fiscal year summary reserve reconciliation.

Fiscal Year Summary:

Please see excel exhibits for the 2003 Quarter and Fiscal Year Summary on file in the Clerk of the Board's Office.

INTERGOVERNMENTAL AGREEMENT WITH ARIZONA GAME AND FISH COMMISSION

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve and sign an Intergovernmental Agreement (IGA) between Arizona Game and Fish Commission and Maricopa County Parks and Recreation. The IGA provides a means to complete the Bureau of Land Management (BLM) requirement for a cadastral survey of the Utery Mountain Shooting Range property. The Board approved the transfer of the Rio Salado Shooting Range (Utery Mountain Shooting Range) to Arizona Game and Fish Department on July 7, 2001, Agenda Number C3001036B. The subject property is BLM land, and a BLM cadastral survey is required in order to complete the transfer of the property. The IGA will provide a mechanism by which a partnership will be formed to equally share the cost of the cadastral survey. (C30030222)

FUND TRANSFERS

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve regular and routine fund transfers from the operating funds to clearing funds including payroll, work authorizations, journal entries, allocations, loans, and paid claims. Said claims having been recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and incorporated herein by this reference.

REVISED GENERAL TRAVEL POLICY (A2313) AND RESCIND OTHER RELATED POLICIES - CONTINUED

Item: Adopt revised policy A2313 General Travel Policy and Travel Manual as a Countywide policy. And rescind the following policies: A2314 Travel Agency; A2315 Travel Advances; A2316 Conferences, Seminars, and Meetings; A2317 Travel – Transportation; A2318 Travel – Rented Motor Vehicles; A2319 Travel – Air Travel; A2320 Travel – Meals/Per Diem; A2321 Travel – Incidental Expenses; A2322 Travel – Lodging; A2323 Travel – Out of Country; and Federal Publication 1542 – Per Diem Rates. During the past year, the Travel Focus Group comprised of members from Finance, Human Resources and Materials Management revised policy A2313 - General Travel Policy (formerly known as General Travel Guidelines). The purpose of A2313 - General Travel Policy is to establish policies and procedures governing the travel activities of Maricopa County Elected Officials and employees in accordance with ARS §38-621 et seq. This policy defines the overall responsibility for travel and travel-like expenditures. One of the primary objectives of the group was to streamline the policies. Therefore, the revised policy is a compilation of the Maricopa County Travel and Travel-Related Policies. (C18030166) (ADM658)

The Clerk announced that this item has been continued to the May 7, 2003, meeting.

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ASSESS FEE FOR A DISHONORED FINANCIAL INSTRUMENT

Pursuant to A.R.S. §44-6852, Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to authorize County departments/agencies to assess the maker of a dishonored financial instrument the maximum statutorily authorized fee (currently \$25) plus any actual charges that may be assessed by the financial institution as a result of a dishonored instrument. (C18030170) (ADM1808-001)

INTERGOVERNMENTAL AGREEMENT WITH TOWN OF BUCKEYE

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve an Intergovernmental Agreement (IGA) with the Town of Buckeye that provides a lease for the Town to use a County-owned facility located at 110 E. Erwin Avenue in Buckeye, also described as the medical facility located at the Northeast corner of Beloit Road and Miller Road in Buckeye. The lease is for a 5-year term. The facility is currently unused by Maricopa County. The Town will perform repairs and maintenance required to make the facility useable and will be responsible for all costs of operation. In addition, the Town will provide storage space for the Buckeye Justice Court in Town controlled space adjacent to the court. The nominal rent for the facility is \$1.00, per year, but the county will benefit from repairs and maintenance to be performed by Buckeye. The IGA provides for termination with 365-days notice, and it is co-terminus with the date of any cancellation of Maricopa County's lease under another IGA with Buckeye for the Buckeye Justice Court. (C18030212)

ANNUAL ADJUSTMENT TO INMATE BOOKING AND HOUSING FEES

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the annual adjustment to the inmate booking and housing fees charged to other jurisdictions for the use of Maricopa County jails. The effective date of this adjustment will be July 1, 2003. The inmate booking fee will increase from \$100.51 to \$119.79 per inmate booked; the inmate housing fee will increase from \$42.41 to \$46.17 per day. (C18030220) (ADM3911)

DONATION - CONTINUED

Item: Accept a donation of 15 microchip readers, software to automate data entry of owners registration, 8 digital cameras and accompanying software, and 2 training sessions from Dave Loftus, dba Pet-Ark, Inc. in Bremerton, Washington valued at \$29,150. (C79030497) (ADM2300)

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilcox, and unanimously carried (5-0) to continue this matter to the May 7, 2003, meeting in order to find out more particulars.

KENNEL PERMIT

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the issuance of a kennel permit for Pat Taylor, dba Taylor Kennels, 3137 West Maryland Avenue, Phoenix, for the term of April 16, 2003 through April 15, 2004. The cost of the kennel permit is \$90. (C7903050C) (ADM2304)

RENEWAL OF KENNEL PERMIT

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the following kennel permit renewal for Angel & Tomasa Acosta, dba Acosta Kennels, 3807

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West Pierce Street, Phoenix, Permit No. 318 for the term of April 16, 2003, through April 15, 2004. The cost of the kennel permit is \$90. (C7903051C) (ADM2304)

AMENDMENT TO AFFILIATION AGREEMENT WITH MIDWESTERN UNIVERSITY

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Amendment No. 2 to the Affiliation Agreement between Correctional Health Services and Midwestern University to continue maintaining and operating a clinical externship program for Physician Assistants in the area of Correctional Health. This amendment will extend the Affiliation Agreement for a period of one year from June 1, 2003, through May 31, 2004. There are two optional one-year renewals. There is no financial impact associated with this Affiliation Agreement Amendment. (C2601007002)

AMENDMENT TO VOLUNTARY VEHICLE REPAIR AND RETROFIT PROGRAM WITH ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Amendment No. 6 to the Voluntary Vehicle Repair and Retrofit Program with the Arizona Department of Environmental Quality. This amendment will decrease the award amount by \$2,080,000 for a new agreement total of \$2,972,800. The duration of this agreement will be extended to June 30, 2004. No matching County funds are required and the grant covers County indirect costs. By approving this agenda item, the Board will be authorizing the decrease of grant funding that is not budgeted, thus causing a budget amendment to be authorized. This amendment will decrease budgeted Environmental Services revenue and expenditures for FY 2004 by \$400,000. (C8899012206)

SOLE SOURCE CONTRACT WITH KACHINA AUTOMOTIVE EQUIPMENT, INC.

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve a sole source contract with Kachina Automotive Equipment, Inc. (current vendor) as the exclusive distributor for Neutronics Enterprises, Inc. The contract, in the amount of \$475,000, will allow the Environmental Services Department to meet requirements set forth in ARS §49-474.03. The sole source contract will continue the Voluntary Vehicle Repair and Retrofit Program through June 2004. Administrative costs have been reserved through this appropriation and a previous general fund appropriation. (C88030361)

RENEWAL OPTION FOR LEASE WITH DESERT HERITAGE CHURCH

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve and execute the renewal option for Lease No. L7212 with Desert Heritage Church, Lessor, for the continued use of an 1,280 square foot Maricopa County Head Start classroom at 1020 North Horne Street, Mesa. This option will extend the term of the existing lease through June 30, 2004. The annual rental cost will be \$8,400. This lease contains a 90-day cancellation clause and does not include any county general funds. Approval of this item is contingent upon approval of the FY 2003-2004 final budget, which includes an appropriation for this purpose. (CS956006) (C2297080407)

AMENDMENT TO CONTRACT WITH BEHAVIORIAL HEALTH FEE-FOR-SERVICE AGREEMENT WITH VALUE OPTIONS, INC.

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Amendment No. 1 to contract, which is a Behavioral Health Fee-For-Service Agreement with Value Options, Inc. The amendment makes several minor administrative language changes to update or revise

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terminology in order to improve clarity. All other terms and conditions of the agreement remain unchanged. (C8603118M01)

ACCEPT DONATION FROM PETSMART CHARITIES

Motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the acceptance of a donation from Petsmart Charities in the amount of \$90,000 to purchase a La Boit 30' spay/neuter mobile clinic vehicle and to equip the vehicle with medical equipment and supplies necessary to conduct spay/neuter surgeries. Also approved the acceptance of a la boit 30' s/n mobile clinic and the addition of this vehicle to the fund 573 agency 793 low org 7910 fleet. The total cost of the vehicle is \$115,455, plus the cost of graphics (not yet determined). The difference in acquisition cost, \$25,455 will be paid by friends of animal care & control (faccs), a not for profit 501(c)3 established to support the programs of ac&c. Operational costs for the vehicle and program will be paid for through revenue generated through spay/neuter surgeries and sale of associated medications and vaccinations. Also approved revenue and expenditure appropriation adjustments of \$90,000. (This is Addendum item No. A-2) (C79030323) (ADM2300)

CITIZEN's CORP/CERT GRANT FUNDS FROM FEMA 2002 SUPPLEMENTAL TERRORISM FUNDS

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve and accept \$82,406 in Citizens Corp/CERT Grant funds from FEMA 2002 Supplemental Terrorism Funds. Funds from this grant will be allocated to political sub-divisions of the government and non-profit organizations within Maricopa County. The Department of Emergency Management will determine the distribution of funds. (C15030113)

AGREEMENT WITH ARIZONA OPPORTUNITIES INDUSTRIALIZATION CENTER

Motion was made by Supervisor Stapley, seconded by Supervisor Kunasek, and unanimously carried (5-0) on a roll call vote with Supervisors Stapley, Kunasek, Wilson, Wilcox and Brock voting "aye", to approve and sign an agreement between Maricopa County Equipment Services and Arizona Opportunities Industrialization Center. This agreement allows Maricopa County to maintain and repair Arizona OIC's vehicles and equipment and to sell fuel from the County Fueling Stations to this agency. (Continued from meeting of April 2, 2003.) (C74030061)

CALL FOR BIDS AND AWARD – MODERNIZATION OF THE SECURITY BUILDING NORTH BANK (3) ELEVATORS

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to adopt plans and specifications, authorize a call for bids, and award a construction contract to the lowest responsive responsible bidder provided that the bid is not more than 10% over the architect's estimate for "Modernization of the Security Building North Bank (3) Elevators", Building No. 4157, Project No. 2002320195, located at 234 North Central Avenue, Phoenix. Completion of this project is necessary to replace existing equipment that is obsolete and no longer capable of meeting the life safety code requirements of the City of Phoenix. The project is funded in the FY 2003-2004 Major Maintenance Program budget, Fund 100, Agency 480, Organization 4832, and Object Code 0915. Award of this project is subject to the Board adoption of the FY 2003-2004 Major Maintenance Program budget. (C70030505)

CONTRACT WITH 3/D INTERNATIONAL, INC.

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Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve a professional consultant services contract with 3D/International, Inc. to provide as needed construction management services for a two-year period. The consultant will provide estimating, life cycle cost analysis, project/program management, studies/reports/investigations, programming, and/or construction administration services for various County projects. Consultant fees for this two-year period shall be \$250,000, or less, and are paid by the County's Major Maintenance budget and/or by budgeted department fees. (C70030515)

EASEMENTS AND RIGHT-OF-WAY

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors action. (ADM2007)

- | | |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A165.007
(AC) | Project No: 69010 - Bullard Avenue (EOP - EOM) - Easement and Agreement for Highway Purposes - Parcel No. 503-52-032Q & 032L - Wanda Jennings - for the sum of \$23,841.00. |
| A165.007
(AC) | Project No: 69010 - Bullard Avenue (EOP - EOM) - Purchase Agreement and Escrow Instructions - Parcel No. 503-52-032Q & 032L - Wanda Jennings. |
| A165.009
(AC) | Project No: 69010 - Bullard Avenue (EOP - EOM) - Easement and Agreement for Highway Purposes - Parcel No. 503-52-083B - Cynthia Kuller - for the sum of \$4,350.00. |
| A165.009
(AC) | Project No: 69010 - Bullard Avenue (EOP - EOM) - Purchase Agreement and Escrow Instructions - Parcel No. 503-52-083B - Cynthia Kuller. |
| A165.011
(AC) | Project No: 69010 - Bullard Avenue (EOP - EOM) - Easement and Agreement for Highway Purposes - Parcel No. 503-52-154C - Robert A. Hunsaker and Susan Lynn Pierce - for the sum of \$15,500.00. |
| A165.011
(AC) | Project No: 69010 - Bullard Avenue (EOP - EOM) - Purchase Agreement and Escrow Instructions - Parcel No. 503-52-154C - Robert A. Hunsaker and Susan Lynn Pierce. |
| A211.002
(EGA) | Project No: 69010 - Hyder Road (Maricopa County Line to 555th Avenue) - Easement and Agreement for Highway Purposes - Parcel No. 401-84-017B & 401-84-018D - Howard Ohlhausen - for the sum of \$2,000.00. |
| A211.002
(EGA) | Project No: 69010 - Hyder Road (Maricopa County Line to 555th Avenue) - Purchase Agreement and Escrow Instructions - Parcel No. 401-84-017B & 401-84-018D - Howard Ohlhausen. |
| A215.002A
(CS) | Project No: 69010 - Stacey Road (164 th - Higley Road) - Easement and Agreement for Highway Purposes - Parcel No. 304-86-043B - Robert G. Haroutunian and Diane M. Haroutunian - for the sum of \$8,747.00. |
| A215.002A
(CS) | Project No: 69010 - Stacey Road (164 th - Higley Road) - Purchase Agreement and Escrow Instructions - Parcel No. 304-86-043B - Robert G. Haroutunian and Diane M. Haroutunian. |

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- A215.007 (CS) Project No: 69010 - Stacey Road (164th - Higley Road) – Easement and Agreement for Highway Purposes – Parcel No. 304-86-030F – Christopher J. Marx and Cheryl L. Marx - for the sum of \$6,187.00.
- A215.007 (CS) Project No: 69010 - Stacey Road (164th - Higley Road) – Purchase Agreement and Escrow Instructions – Parcel No. 304-86-030F – Christopher J. Marx and Cheryl L. Marx.
- A215.008 (CS) Project No: 69010 – Stacey Road (164th - Higley Road) – Easement and Agreement for Highway Purposes - Parcel No. 304-86-030E – Edward E. Glover & Darlene M. Glover - for the sum of \$6,187.00.
- A215.008 (CS) Project No: 69010 – Stacey Road (164th - Higley Road) – Purchase Agreement and Escrow Instructions - Parcel No. 304-86-030E – Edward E. Glover & Darlene M. Glover.
- A273.001, 2, 3, 4, 5, 6, 7, 8 (CE) R/W Dedication – Ratification of Dedication - Parcel No. 400-52-020J, 145, 146, 159C, 159B, 160, 942, 943 - Transamerica Title Insurance Company of Arizona - for the sum of \$10.00.
- FA012.006 (AC) Project No: 68927 – Ellsworth Channel (Germann Road to Ray Road) - Permanent Channel Easement and Agreement for Flood Control Purposes - Parcel No. 304-62-003E – Harris Cattle Co., an Arizona Corporation - for the sum of \$220,854.00.
- FA012.006 (AC) Project No: 68927 – Ellsworth Channel (Germann Road to Ray Road) - Purchase Agreement and Escrow Instructions – Parcel No. 304-62-003E – Harris Cattle Co., an Arizona Corporation.
- Z1-0575-1 (DM) Project No: 68943 - 51st Avenue (Baseline Road to Broadway Road) - Temporary Construction Easement and Agreement for Highway Purposes – Parcel No. 104-75-009D - Kathleen Marie Fuller - for the sum of \$200.00.

CHANGE ORDER TO CONTRACT WITH ENTRANCO

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Change Order No. 13 to Contract No. CY 1999-43 with Entranco in an amount not-to-exceed \$48,281.43 for the Geodetic Densification and Cadastral Survey (GDACS), Phase 3F1 project, Work Order No. 69012. This change order will increase the total contract amount by \$48,281.43 to a revised contract amount of \$1,352,426.05. This Change Order is part of the third phase of the Geodetic Densifications and Cadastral Survey project. During this phase, the consultant will be surveying the section and quarter section corners on the consultant's assigned area. The consultant will be following the detailed specifications that McDOT has developed in order to complete the work. (C6499272515)

LICENSE TO NEXTEL WEST CORP., dba NEXTEL COMMUNICATIONS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to grant a license to Nextel West Corp., dba Nextel Communications for the installation of a wireless telecommunication antenna on an existing APS utility pole in Maricopa County right-of-way at 5838 East Dixileta Drive. The annual fee will be in the amount of \$5,000. The term of this license is 20-years. (C6403200C) (ADM2004)

CONTRACT WITH CS CONSTRUCTION

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Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the low-bid as submitted and award Contract CY 2003-45 to CS Construction, in the amount of \$1,372,175; to install vehicle detection and vehicle monitoring equipment associated with the AZTech SMART Corridors, Phase II, Project SAZC, (MCDOT No. 68989). The solicitation of bids was approved under the following agenda numbers: C64030855, C64030875, C64030885, and C64030895. (C6403085501) (C64032085)

ANNEXATION OF COUNTY RIGHT-OF-WAY BY THE CITY OF PHOENIX

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the annexation by the City of Phoenix of County right-of-way within a 10' strip of the 65' northern right-of-way of Southern Avenue from 130' east of 27th Avenue West approximately 1,190', in accordance with Ordinance No. G-4501. (C64032095) (ADM4213)

REIMBURSEMENT TO ARIZONA PUBLIC SERVICE AND TRANSFER OF BUDGETED FUNDS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve reimbursement to Arizona Public Service (APS) in the amount of \$54,000, for the costs incurred for the relocation of their overhead facilities that are in conflict with Project LIIP (McDOT No. 69030), Loop 303 Intersection Improvements (at Northern Avenue). The cost may not exceed the current estimate amount of \$54,000 by more than 10%. Also approve the transfer of FY 2003 (year 1) budgeted funds, in the amount of \$54,000, from Project Reserves Account (PRSA) (McDOT No. 69998) to this project. (C64032125) (ADM2000-006)

CELEBRATION CHRISTIAN CENTER STREET LIGHTING IMPROVEMENT DISTRICT

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to organize the Celebration Christian Center Street Lighting Improvement District located in the vicinity of Southern Avenue and Ellsworth Road and appoint the Superintendent of Streets as District Engineer. The purpose of the district is to establish street lighting facilities and purchasing electric service for the lighting of the public streets and parks within the area. A petition representing 100% of the property owners of Celebration Christian Center has been presented requesting the formation of this district. In as much as this is a 100% district, the hearing to organize will be held on this date. (C64032137) (ADM4302)

**ORDER ESTABLISHING
CELEBRATION CHRISTIAN CENTER STREET LIGHTING IMPROVEMENT DISTRICT**

A petition having been filed with the Clerk of the Board of Supervisors of Maricopa County, Arizona, praying for the establishment of Celebration Christian Center Street Lighting Improvement District, under the provisions of Title 48, Chapter 6, Article 1, Arizona Revised Statutes, 1956, and said petition having been presented to the Board of Supervisors on the 16th day of April, 2003 at the hour of 9:00 a.m., at the usual meeting place of said Board of Supervisors at 205 West Jefferson Street, in the City of Phoenix, as required by said Arizona Revised Statutes, 1956, and said Board having heard all interested property owners who appeared at said hearing on any matter relating to the establishment of the proposed District, or filed with the Clerk of the Board of Supervisors, before the date for said hearing, and after having heard all of said property owners, said Board of Supervisors finds that said petition is signed by the requisite number of owners of real property and further finds that the public convenience, necessity and welfare will be promoted

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by the establishment of said district, and hereby, by this formal order declares the findings aforesaid, and establishes the boundaries as follows:

BERRY ESTATES LOTS 6A 7 & 8 EX E 15F RD & ALSO EX 25F X 25F TRI IN NE COR
TH/OF OF LOT 8

And further declares that said district is now established under the name of Celebration Christian Center Street Light Improvement District, by which name it shall be known in all proceedings hereafter.

Adopted this 16th day of April 2003.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

CHANGE ORDER TO CONTRACT WITH ARCHAEOLOGICAL CONSULTING SERVICES, INC.

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Change Order No. 5 to contract with Archaeological Consulting Services, Inc. in an amount not-to-exceed \$22,931.57 under Contract No. CY 1998-64, to perform monitoring during the construction phase of the McDowell Road project, Work Order No. 68897. Also that the contract performance period be extended through May 29, 2004, to cover the project construction phase. This change order will increase the total contract amount by \$22,931.57 for a revised contract amount of \$1,036,681.18. (Supervisory District No. 5) (C99112502) (C64032145)

AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH FLOOD CONTROL DISTRICT, CITY OF PHOENIX, AND SALT RIVER PROJECT

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Amendment to the IGA FCD 2000A021A (Project No. 117 - South Phoenix Drainage Improvement among the Flood Control District of Maricopa County (District), Maricopa County Department of Transportation (MCDOT), City of Phoenix (City), and the Salt River Project (SRP) for the Laveen Area Conveyance Channel (43rd Avenue to Salt River) and 43rd Avenue and Southern Avenue Detention Basin (Project). The original IGA is for the cost sharing, design, rights-of-way acquisition, utility relocation, construction, construction management, and operation and maintenance of the Project. This amendment acknowledges the total project cost, less donations of land by property owners will exceed the \$15,000,000 limitation defined in the original IGA. This amendment estimates the total project cost, less donations of land by the property owners to be not more than \$19,000,000, which requires an increase in the cost share for the District and the City from \$7,000,000 to \$9,000,000 each. No changes in cost share by MCDOT or SRP, or any other changes in the IGA are included in the amendment. (C6402114501) (C64032152)

SETTLEMENT OF PMI – DVD L.L.P. v. MARICOPA COUNTY

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to authorize settlement of PMI – DVD L.L.P. v. Maricopa County et al. CV01-001879, now pending in Superior Court of Maricopa County, by Maricopa County's purchase of the PMI-DVD property located generally at the intersection of Deer Valley Road alignment and the Loop 303, Assessor Parcel Number 503-57-001, 002, 019H, and 019J, located at approximately the Loop 303 and Deer Valley Road alignment. The property being acquired includes 29.19 acres of land at a settlement value of \$2,000,000. (Discussed in Executive Session on March 17, 2003.) (C64032185) (ADM409)

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MARICOPA INTEGRATED HEALTH SYSTEMS PERSONNEL AGENDA

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Maricopa Integrated Health Systems Personnel Agenda. (List on file in the Clerk of the Board's Office.)

FORMATION OF A POOL OF FUNDS FOR ALL PHARMACY SERVICES - CONTINUED

Item: Approve the formation of a pool of funds for all Pharmacy Services retroactive to April 1, 2003. This pool will combine the pool of funds from Home and Community Based Service (HCBS) Pharmacy Service established under Agenda Item C6099138101 with a not-to-exceed amount of \$18,051,000, and the pool of funds from Residential Pharmacy Service established under Agenda Item C60012931ZZ with a not-to-exceed amount of \$40,000,000. The formation of the Pharmacy Services Pool will extinguish the old HCBS Pharmacy Pool and the Residential Pharmacy Pool. Increase the combined pool not-to-exceed, retroactively, by \$27,723,664, increasing from \$51,051,000 to \$78,774,664, and extend the term of the Pharmacy Services Pool by one year from April 1, 2003, through March 31, 2004, making the aggregate term of the pool April 1, 1999, through March 31, 2004; and identify the Pharmacy Services Pool by a new Agenda No. C600308601. (C60030861)

A question was raised on why a second pharmacy was needed for this. David Smith said that he would have Director of Correctional Health Services, Dr. Joe Scalzo, send documentation on this to the Supervisors.

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to continue this item to the May 7, 2003, meeting.

AMENDMENT TO CONTRACT FOR NEPHROLOGY SERVICES WITH ANNA MEDICAL SPECIALISTS, PC

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve Amendment No. 4 to the contract for nephrology services with the Anna Medical Specialists, P.C. This amendment includes three actions:

- a) retroactive approval to add \$120,000 to the current not-to-exceed amount of \$110,000 to bring the not-to-exceed amount to \$230,000,
- b) extend the term of the contract for an additional year to cover the period February 1, 2003, through January 31, 2004, and
- c) fund the extension by adding \$146,000 to the amended not-to-exceed amount of \$230,000 making the new not-to-exceed amount, \$376,000.

This action replaces and corrects the action indicated by agenda item C6003456104 approved by the Board on March 19, 2003. This contract was originally approved under Agenda No. C60991281ZZ as Contract No. C60991241. The contract terms allow the contract to be extended for up to a maximum term of 5-years. This extension completes the 5-year maximum term. Either party may terminate the contract with 90-days written notice. (C6003456105)

AMENDMENT TO CONTRACT FOR NEPHROLOGY SERVICES WITH ARIZONA NEPHROLOGY ASSOCIATES, PLC

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Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve Amendment No. 4 to the contract for nephrology services with Arizona Nephrology Associates, PLC. This amendment includes three actions:

- a) retroactive approval to add \$80,000 to the current not-to-exceed amount of \$230,000 to bring the not-to-exceed amount to \$310,000,
- b) extend the term of the contract for an additional year to cover the period February 1, 2003, through January 31, 2004, and
- c) fund the extension by adding \$60,000 to the amended not-to-exceed amount of \$310,000 making the new not-to-exceed amount \$370,000.

This action replaces and corrects the action indicated by agenda item C6003457104 approved by the Board on March 19, 2003. This contract was originally approved under Agenda No. C60991281ZZ as Contract No. C60991231. The contract terms allow the contract to be extended up to a maximum term of 5-years. This extension completes the 5-year maximum term. Either party may terminate the contract with 90-days written notice. (C6003457105)

AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve Amendment No. 2 to Intergovernmental Agreement with Maricopa County Community College District. The agreement allows students in over 30 health-related programs to train at Maricopa Integrated Health System (MIHS) locations. The programs include nursing, physical and occupational therapy, diagnostic imaging, and radiography. The programs are provided through the District's eleven colleges and skill centers throughout Maricopa County. Multiple students may be in training at any given point during their education. This amendment will permit qualified employees of Maricopa County to teach MCCCCD-approved curriculum in a clinical setting to MCCCCD students for college credit. There is no change in the contract term of May 1, 2000, through April 30, 2005. The contract may be extended for an additional term not-to-exceed five years and may be terminated by either party with written notice at least 90-days prior to the next succeeding semester or school term. (C9000093202)

INTERGOVERNMENTAL AGREEMENT AND TWO ADDENDA WITH VARIOUS SCHOOL DISTRICTS WITHIN OSBORN SCHOOL DISTRICT

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve an Intergovernmental Agreement and two addenda between Maricopa Integrated Health System (MIHS) and the Osborn School District dba Encanto Elementary School, Montecito Elementary School, Longview Elementary School, Solano Elementary School, Osborn Middle School, and Clarendon. The agreement provides the opportunity to MIHS trainees, residents or fellows to obtain broader clinical and learning experiences within a community school setting. The term of this agreement and the two addenda is requested retroactively effective September 1, 2002, through August 31, 2007, and shall be automatically renewed for one additional five year term, subject to each party's ability to receive sufficient funding for the continuation and renewal of its obligations. The agreement may be terminated without cause at any time, by the terminating party, upon 365-days prior written notice to the other party. This agreement is considered educational in nature. (C90030322)

REAPPOINTMENTS TO THE BUILDING CODE ADVISORY BOARD

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Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve reappointments to the Building Code Advisory Board, as follows. Term of appointments will be from the date of Board approval through March 30, 2007.

- a) Robert J. Ghan, licensed engineer (C01030137) (ADM3414)
- b) Vincent Territo, licensed architect (C01030147) (ADM3414)

REAPPOINTMENT OF CAPTAIN FRANK KELCH

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to reappoint Captain Frank Kelch to the Maricopa County Sheriff's Office Corrections Officer Retirement Plan Board. The term of the appointment will be from the date of Board approval through April 30, 2007. (This is Addendum item No. A-3.) (C01030157)

HEARING SET - ENVIRONMENTAL SERVICES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to schedule a public hearing for 9:00 a.m., Wednesday, May 21, 2003, to solicit comments on proposed revisions to Maricopa County Air Pollution Control Regulations Rule 280 (Fees). Following the public hearing, the Board is requested to adopt proposed revisions to Maricopa County Air Pollution Control Regulations Rule 280 (General Provisions and Definitions). The adopted fee rule will go into effect July 1, 2003. The proposed revisions will increase fee revenue by approximately \$500,000. Also direct the Office of Management and Budget to review, analyze and make a recommendation on the Environmental Services Results Initiative Requests (RIR's) for FY 2003-2004, for expenditures associated with the above fee increase. (C88030347) (ADM2354)

HEARING SCHEDULED - PLANNING AND ZONING CASES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to schedule a public hearing on any Planning, Zoning and Building Code cases in the unincorporated areas of Maricopa County for May 7, 2003, at 9:00 a.m. in the Board of Supervisors Auditorium, as follows:

Z2002-032; Z2002-033; Z2002-083; 2002-127; Z2002-134; Z2002-138; Z2002-141; Z2002-163; TA2003-001

INDUSTRIAL DEVELOPMENT AUTHORITY MULTIFAMILY HOUSING REVENUE BONDS (SAN ANGELIN APARTMENTS PROJECT)

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to adopt the following captioned resolution, on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with Arizona State Libraries, Archives, and Public Records (ASLAPR). (ADM4792)

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, APPROVING THE ISSUANCE OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA MULTIFAMILY HOUSING REVENUE BONDS (SAN ANGELIN APARTMENTS PROJECT), SERIES 2003, IN ONE OR MORE

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**SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT-TO-EXCEED \$18,000,000
(THE "BONDS").**

INDUSTRIAL DEVELOPMENT AUTHORITY MULTIFAMILY HOUSING REVENUE BONDS (LAKE PLEASANT VILLAGE APARTMENTS PROJECT)

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to adopt the following captioned resolution, on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with Arizona State Libraries, Archives, and Public Records (ASLAPR). (ADM4792)

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, APPROVING THE ISSUANCE OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF MARICOPA MULTIFAMILY HOUSING REVENUE BONDS (LAKE PLEASANT VILLAGE APARTMENTS PROJECT) SERIES 2003 A-1 (THE "SERIES A-1 BONDS") AND ITS MULTIFAMILY HOUSING REVENUE BONDS (LAKE PLEASANT VILLAGE APARTMENTS PROJECT) SERIES 2003 A-2 (THE "SERIES A-2 BONDS" AND, TOGETHER WITH THE SERIES A-1 BONDS, THE "BONDS") IN THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT NOT-TO-EXCEED \$10,000,000.

POLLUTION CONTROL CORPORATION OF POLLUTION CONTROL REFUNDING REVENUE BONDS (PUBLIC SERVICE COMPANY OF NEW MEXICO PALO VERDE PROJECT)

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to adopt the following captioned resolution, on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with Arizona State Libraries, Archives, and Public Records (ASLAPR). (C88030347) (ADM5134)

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MARICOPA, ARIZONA, APPROVING THE ISSUANCE BY MARICOPA COUNTY, ARIZONA, POLLUTION CONTROL CORPORATION OF POLLUTION CONTROL REFUNDING REVENUE BONDS (PUBLIC SERVICE COMPANY OF NEW MEXICO PALO VERDE PROJECT), 2003 SERIES A.

MINUTES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve minutes of the Board of Supervisors meeting held February 5 and 19, 2003.

PRECINCT COMMITTEEMEN

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the appointment of precinct committeemen to fill vacancies in various precincts, pursuant to A.R.S. § 16-231.B, and removal of precinct committeemen due to disqualification in accordance with lists dated April 16, 2003, as submitted by the Elections Director, and on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with the Department of Library Archives, and Public Records retention schedule. (ADM1701)

SECURED TAX ROLLS

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Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve requests from the Assessor for corrections of the Secured Tax Rolls. (ADM705)

Tax Roll	From	To	Net Result-
1999	7222	7222	-\$65.62
2001	35514	35535	-\$37,797.04
2002	9396	9439	+\$25,833.60

CANVASS OF ELECTION – WESTERN MEADOWS IRRIGATION DISTRICT

Pursuant to A.R.S. §16-642(B), motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the canvass of election held in Western Meadows Irrigation District on November 4, 2002, as on file in the Office of the Clerk of the Board. (ADM4326)

DUPLICATE WARRANTS

Necessary affidavits having been filed, pursuant to A.R.S. §11-632, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. (ADM1823) (ADM3809)

COUNTY

Name	Warrant	Fund	Amount
Katherin Lanell McClain	C23046462	Payroll	\$192.00
Sylvia M. Conchos	045064	Payroll	\$1,284.56
Denise Vaishville	23-0500941	Payroll	\$1,091.44
Walt's Ace Hardware	43-0072637	040 Fund	\$94.55

SCHOOL

Name	School	Warrant	Amount
Karen Arney	Fowler	13-0111425	\$343.62
Juliette Brezina	Phoenix #1	13-0109949	\$64.64
Karen Carney	E.V.I.T.	13-0016850	\$841.96
Claudia G. Davidsen	Mesa	73-48462	\$101.23
Chris Goodall	Buckeye #033	43-0053277	\$3,540.00
The Wright Group	Avondale	43-0102579	\$543.83
Jared Miller	Mesa	72-0093756	\$117.29
Aretha Norris	Roosevelt	13-0111848	\$389.94
Arizona Appliance Parts	Roosevelt #60	43-0042126	\$73.57
Sonya Ruiz	Madison	13-0107999	\$802.43
U.S. Food Service	Avondale	43-0103580	\$1,614.23
Maria N. Soto	Murphy #21	13-0112899	\$433.19
Joe Starks	E.V.I.T.	43-0061959	\$15.00
Joe Starks	E.V.I.T.	43-0037199	\$115.00
James R. Trainor	Mesa	73-0052037	\$124.23
Maria Trevizo	Mesa	73-49553	\$205.15
Marisela Valenzuela	Avondale	13-0111313	\$143.92

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Nina Vega	Pendergast	13-113907	\$336.81
Barbara Wiser	Mesa	73-49706	\$220.49

STALE DATED WARRANTS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to find that claims presented pursuant to A.R.S. §11-644 are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (ADM1816)

Name	Amount
Ernest Heitmuller	\$15.18
Rebecca Osborne	\$27.00

SETTLEMENT OF TAX CASES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the settlement of tax cases, list dated August 27, 2003. (ADM704)

CV01-021696 2002	CV02-000882 2002	TX01-000404 2002	TX01-000574 2002
TX01-000435 02/03	TX02-000217 02/03	TX02-000340 02/03	ST02-000077 2003
ST02-000153 2003	ST02-000154 2003	ST02-000155 2003	ST02-000171 2003
ST02-000182 2003	ST02-000191 2003	ST02-000193 2003	ST02-000196 2003
ST02-000201 2003	ST02-000234 2003	ST02-000263 2003	TX02-000394 2003
TX02-000438 2003	TX02-000466 2003	TX02-000495 2003	TX02-000500 2003
TX02-000547 2003	TX02-000547 2003	TX02-000592 2003	ST02-000078 03/04

CLASSIFICATION CHANGES

Pursuant to A.R.S. §42-12054, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the Assessor's recommendations to change classification and/or reduce the valuation of certain properties which are now owner occupied. (ADM723)

PARCEL NO.	YEAR	OWNER	FROM	TO
111-03-034	2000	Michael Craig	LC/4	LC/3
111-03-034	2001	Michael Craig	LC/4	LC/3
111-03-034	2002	Michael Craig	LC/4	LC/3
111-24-117	2000	Louise Besenhofer	LC/4	LC/3
111-24-117	2001	Louise Besenhofer	LC/4	LC/3
111-24-117	2002	Louise Besenhofer	LC/4	LC/3
117-10-025	2000	John Barker	LC/4	LC/3
117-10-025	2001	John Barker	LC/4	LC/3
117-10-025	2002	John Barker	LC/4	LC/3
124-34-058	2000	Helen Morris	LC/4	LC/3
124-34-058	2001	Helen Morris	LC/4	LC/3
124-34-058	2002	Helen Morris	LC/4	LC/3
144-80-095	2000	Brian D Combs	LC/4	LC/3
144-80-095	2001	Brian D Combs	LC/4	LC/3
144-80-095	2002	Brian D Combs	LC/4	LC/3
173-58-085	2001	Quentin York	LC/4	LC/3

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173-58-085	2002	Quentin York	LC/4	LC/3
206-07-571	2000	Kim Jones	LC/4	LC/3
206-07-571	2001	Kim Jones	LC/4	LC/3
206-07-571	2002	Kim Jones	LC/4	LC/3
302-37-600	2000	Steven Lan	LC/4	LC/3
302-37-600	2001	Steven Lan	LC/4	LC/3
302-37-600	2002	Steven Lan	LC/4	LC/3
503-59-086C	2000	Selma Perlow	LC/4	LC/3
503-59-086C	2001	Selma Perlow	LC/4	LC/3
503-59-086C	2002	Selma Perlow	LC/4	LC/3

COMPROMISES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the requested compromises as payment in full for the following cases: (Discussed in Executive Session held March 31, 2003.) (ADM407)

Angel Barrett	\$1,000.00	Ledacia Colter	\$6,500.00
Amado DeLeon	5,248.00	Sevlja Elkasovic	300.00
Alonzo Fierro	268.00	Emar G. Hayes	6,500.00
Jannette Kobbeman	892.58	Hector Leyvas	5,000.00
Aaron Moreno	322.00	Omar Nunez	6,000.00
Adelar Pedquiera	1,200.00	Alma Pesquiera	5,000.00
Isa Pesquiera	690.00	Francisco Rodriquez	3,200.00
Berenice Romero	1,832.52	Cirilo Romero	714.51
Yolanda Romero	700.00	Tara Syvertsen	7,423.90
Margaret M. Townsley	8,000.00		

WRITE-OFF

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the requested write-off as payment in full for Tracy E toll in the amount of \$4,056.77. (Discussed in Executive Session held March 31, 2003.) (ADM407)

PUBLIC COMMENT

No member of the public came forward to comment at this time. (ADM605)

SUPERVISORS' COMMENTS

There were no comments from any Supervisor at this time. (ADM606)

PLANNING AND ZONING

David Smith left the dais at the end of this portion of the Board meeting. Members, as given above, remained in session. Joy Rich, Director of Planning and Development, Darren Gerard, Principal Planner, and David Benton, County Counsel, came forward to present the following Planning and Zoning cases. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

REGULAR AGENDA DETAIL:

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1. **Z2002-099** **District 4 (THIS CASE CONTINUED FROM MEETING OF APRIL 2, 2003.)**
 Applicant: Stephen D. Buck, Lite Flyer Ultra Light for James Omer Pierce
 Location: South side of MC 85, east of SR85 (in the central Buckeye area)
 Request: Plan of Development for aircraft hangers in the IND-2 zoning district for Lite Flyer Ultra Light (approximately 2.17 acres)

COMMISSION ACTION: Commissioner Clayburg moved to recommend approval of Z2002-099, subject to the following stipulations "a" through "j". Commissioner Jones seconded the motion, which passed with a majority vote of 4-3, indicated by roll call as follows:

Commissioner Jones – yes	Commissioner Aster – no
Commissioner Beckley – yes	Commissioner Smith – no
Commissioner Munoz – yes	Commissioner Harris – no
Commissioner Clayburg – yes	

- a. Development shall comply with the site plan entitled "LiteFlyer at Pierce Airport Hangar Layout", consisting of one (1) full-size sheet, dated revised September 25, 2002 and stamped received October 10, 2002, except as modified by the following stipulations.
- b. Development shall comply with the narrative report entitled "Lite Flyer Ultralight Chapter 55 at Pierce Airport", consisting of six (6) pages, dated revised September 25, 2002 and stamped received October 10, 2002, except as modified by the following stipulations.
- c. Only ultra-light aircraft will be stored on site. The storage of any other type of aircraft will require a major amendment to this plan of development.
- d. Major changes to this plan of development (site plan and narrative report) shall be processed as a revised application in the same manner as the original application with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- e. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- f. Building permits, including a drainage clearance, must be obtained for the hangar buildings.
- g. No person shall operate, maintain, use or allow the use of any area larger than 5,000 square feet for the parking, storage or servicing aircraft without first implementing reasonably available control measures to effectively prevent or minimize fugitive dust at the discretion of the Maricopa county Environmental Services Department.
- h. All outdoor lighting shall conform to Section 1112 of the Maricopa County Zoning Ordinance.

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- i. Noncompliance with the plan of development (the site plan and narrative report) or conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- j. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or the Maricopa County Flood Control District may be grounds for initiating a revocation of this request as set forth in Section 304.6 of the MCZO.

~ Supervisor Wilcox left the dias ~

Joy Rich, Chief Public Works Officer, reported on pertinent information on this matter from the Planning Committee meeting. This case calls for developing a site plan for 24 hangers to be used for light aircraft storage. She had received no comments from any municipality. Staff has recommended denial and the Planning Commission recommended approval by a very narrow margin. She said the airstrip was approved in 1968 with no expiration date, which is not common practice and something this Board has never done. She indicated that this site would not meet the Board's standards for an airstrip today. Staff recommended that the Special Use Permit for the airstrip be amended to include the hangers. Applicant chose not to do this and this refusal is the reason for Staff's recommendation for denial. She indicated that the Chair of the Planning Commission did not vote after a 4-3 vote by members, recommending that this move forward for a Board decision.

Supervisor Kunasek asked about a time consideration on the hangers to the south. Ms. Rich said this case is a Plan of Development and does not have a time limit.

Supervisor Stapley reviewed this by saying, "so, this is permitted, but permitted in perpetuity and it does not meet County stipulations that were later added for these."

Ms. Rich replied that it does not meet Maricopa County's modern ordinance code. The applicant plans to use the airstrip for the Ultra Lights that are housed in the adjacent hangers.

Steve Buck, applicant, said the zoning is I-2 for light industrial, and is the correct zoning for locating the hangers there. The property is owned by James Pierce, the airport is owned by a corporation and they are not legally the same entity. Mr. Buck said they want to fly a club of 24 planes out of there that cruise at 300 mph and need a landing strip of 300 feet, which is a fraction of the 3,600 ft. runway at this airstrip now. He said it is "overkill for us but we're looking for a place to move our club."

After a short discussion, motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (4-0-1) to approve this Plan of Development.

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Fulton Brock, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board